

DISTRICT ADVISORY BOARD (DAB) I

MEETING MINUTES

Monday, November 2, 2009

6:30 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Twila Chaloupek
Vicki Churchman
Gerald Domotrovic
Janice Rich
Lisa Riley
Steve Roberts
James Roseboro
Janet Wilson
Bill Wynne

Guests

Listed on the last page

City of Wichita Staff Present

Council Member Lavonta Williams
Chief Sid Newby, Wichita Fire Department
Detective Anthony Bess, Wichita Police Department
Officer Williams, Beat 42, Wichita Police Department
Officer Weber, Beat 44, Wichita Police Department
Officer Recio, Beat 23, Wichita Police Department
Julie Irvin, Supervisor, Office of Central Inspection
Harlan Bascombe, Supervisor, Office of Central Inspection
Donna Goltry, Metropolitan Planning Department
Gary Janzen, Public Works Department
Carl Haas, Public Works Department
Dave Barber, Planning Department
LaShonda Porter, Neighborhood Assistant

Order of Business

Call to Order

CM Williams called the meeting to order at 6:32 p.m. and welcomed guests. She asked that anyone addressing the Board provide their name and address for the record.

Approval of Agenda

Roberts (Wilson) made a motion to approve the agenda as submitted. Motion carried **9:0**

Approval of Minutes

Roseboro (Roberts) made a motion to approve the minutes with noted correction. Motion carried **9:0**

Public Agenda

1. **Agenda Items**
No items submitted.
2. **Off Agenda Items**
No items submitted.

Staff Report

3. **Fire Report**

Chief Newby, Battalion Chief Station 9, provided an update on the success of Fire Prevention Week. He noted that they served approximately 6,500 children, which was an increase of 11.75% from 2008.

Newby noted in the month of October there were 5 fires: (2) accidentals, (2) arson, and (1) undetermined.

The **Board** thanked Newby for his presentation.

Action Taken: Receive and file.

4. Police Report

Det. Anthony Bess, Police Investigations Auto Theft advised that this is the season that auto theft generally increases and because of that they are trying to inform/educate the community on safety tips. **Bess** warned citizens to not be victims to this crime. He noted that the following statistics regarding vehicles being stolen (when citizens have left the vehicle unattended while warming up):

| | |
|-------------|----------------------------|
| 2005 | 59 vehicles stolen |
| 2006 | 77 vehicles stolen |
| 2007 | 183 vehicles stolen |
| 2008 | 177 vehicles stolen |

Bess asked that we help spread the word about the importance of not leaving your vehicles running and unattended.

Wilson asked if it was okay to use the remote car starters. **Bess** responded yes those are the ones WPD preferred.

CM Williams wanted to know if they recovered any of the stolen vehicles and what percentages of the cars were intact. **Bess** responded that they have a 75% recovery rate.

Officer Williams, Beat 42, advised that he was the new Community Police Officer for Beat 42 and his beat covered Broadway to Hydraulic and 17th to Central.

Williams advised that there were 12 residential burglaries in October and 1 in November. He advised that they targeted a specific area to flood with informational flyers "If I was Burglar" that allowed them to identify the opportunities that burglars would have if they came to their homes. **Williams** noted that they came across open garages and open car doors.

Williams noted that it is important for residents to write down serial numbers of items they purchase, as this allows the owners to retrieve their property from the Police Department if the items are retrieved when suspects are apprehended. Additionally, when a report is made and serial numbers are available; the Police then have the ability to run these numbers through the Pawn Shops so that they are not sold

Domotrovic wanted to know if the flyers were a new program. **Williams** advised no that it has been around for a while.

Shek Weber, 44 Beat advised that burglaries were up this summer between Central and 21st Street (along Oliver). He noted that they caught two guys and one guy was convicted and sentenced to probation while the other one is awaiting trial.

Weber advised that there are two burglary hot spots: 13th Estelle and 17th - 21st from Grove to Hillside. He noted that the main item that is being taken is flat screen TV's. He then encouraged residents to write down serial numbers.

Weber noted that they are working on a comprehensive burglary plan to try and address this issue.

Roseboro wanted to know what size the TVs were that was being stolen. **Weber** advised that the TVs were 40 in. or larger.

Riley wanted to know if they were seeing an increase in identity theft. **Weber** advised that he could check into that, but identity theft may be underreported because individuals may not have recognized that this has occurred and/or they don't report it too the police.

Wilson wanted to know if they had an idea of who the suspect was for the hot spot at 13th and Estelle. **Weber** advised that they believe so.

CM Williams wanted to know what the age range was for the suspects. **Weber** advised most of them are 18 or older.

Wilson wanted to know why they weren't being prosecuted. **Weber** advised that it is not considered a persons crime so the District Attorney's Office will probably give them probation, especially if they do not have a lengthy criminal history.

Officer Recio, 23 Beat advised that burglaries are up in the city as a whole. He noted that in the month of September there were six burglaries on his beat, and in October nine burglaries occurred and there are no major leads on any of the cases.

Recio advised that Sgt. Kelly O'Bryant is working on a safety plan in preparation for the arena opening.

Churchman wanted to know about the bars on Broadway, specifically El Rojo. **Recio** advised they are looking at the violations and may be able to impose a suspension on this facility.

Wilson wanted to know how many violations the club owner already has and how many times before the club can be shut down. **Recio** advised that the decision would be at the discretion of the Chief of Police.

Williams added that they are looking into this issue with this particular club.

Churchman asked if they had been in contact with the neighbor who lives near the club as she goes to work at 5 a.m. and she sees quite a bit of what takes place at the venue. **Recio** advised that yes they had been in contact with her.

Roseboro wanted to know how many Officers would be available when the arena opened. **Recio** advised that it would be 4-6 Officers with a max of 18 depending on the event. **Roseboro** then asked where the Officers would come from. **Recio** advised all bureaus.

Wiley wanted to know if they would back fill. **Recio** advised that would be up to the Chief.

The **Board** thanked the Officers for their time and presentation.

Action Taken: Receive and file.

New Business

5. Office of Central Inspection

Julie Irvin, Supervisor Office of Central Inspection provided information on the vacant and neglected buildings as of September 2009. **Irvin** advised that since the ordinance was enacted:

| | | |
|------------------------------------|------|--|
| Total Cases Started | 1174 | |
| Total Cases Closed | 719 | 61.2% |
| Total Cases Open | 455 | |
| Open Cases with Penalties | 224 | |
| Closed Cases with Penalties | 62 | (cases closed, but penalties have not been paid) |
| Cases in Collections | 306 | \$255,035 (penalties issued, 30 days old +) |

Irvin noted that they collected \$27,977 less \$6,994.25 commission leaves \$20,982.75 to OCI through the collections process.

She also noted that since 2007 OCI has taken in \$61,451 from registration fees, penalties paid to OCI and from collections.

Irvin then provided a comparison of activity across the districts.

2009

| Council District | Active | Penalty | Closed | Total |
|-------------------------|---------------|----------------|---------------|--------------|
| 1 | 135 | 151 | 441 (60.7%) | 727 |
| 2 | 14 | 5 | 22 (53.7%) | 41 |
| 3 | 29 | 23 | 85 (62%) | 137 |
| 4 | 11 | 17 | 59 (67.8%) | 87 |
| 5 | 11 | 0 | 2 (15.4%) | 13 |
| 6 | 31 | 27 | 111 (65.7%) | 169 |

2008

| Council District | Active | Penalty | Closed | Total |
|-------------------------|---------------|----------------|---------------|--------------|
| 1 | 170 | 153 | 318 (49.6%) | 641 |
| 2 | 4 | 2 | 12 (66.6%) | 18 |
| 3 | 33 | 24 | 52 (47.7%) | 109 |
| 4 | 15 | 17 | 46 (58.9%) | 78 |
| 5 | | | 2 (100%) | 2 |
| 6 | 44 | 17 | 85 (58.2%) | 146 |

Roseboro stated that District 1 seems to be much higher than all other areas and wanted to know if this area was being targeted. **Irvin** advised that no it's just that this area has the highest number of boarded up properties.

Roseboro followed up with an additional question asking if these were rentals. **Irvin** advised that 25% of the properties had out of state landlords and that many of them are non responsive landlords.

Wynne wanted to know if the fines are the worst penalty we can assess to the owners. **Irvin** advised yes through this ordinance all they could do is assess a penalty every 90 days. **Wynne** then asked if the fees were ever added to their tax bill. **Irvin** advised no, that this is a civil issue and all they can do is put a negative report to their credit report.

Irvin noted that the program was not designed for revenue generation but to hold the owners accountable.

Churchman advised that Community Housing Service has tried to find owners to purchase the properties for demolition and/or renovation and they have exhausted their due diligence in trying to contact the owners and have not been successful.

Irvin advised that the county can sell the properties under the tax foreclosure process but they are not willing to fast track this process.

Riley wanted to know if there was something neighbors could do. **Irvin** advised not really.

Irvin also noted that the City has some properties that have been donated to them that they are not even aware of.

Mary McDonald, 1654 N. Lorraine wanted to know why mowing occurred twice a year and why we only got certain contractors. **Irvin** advised that the mowing contract is put out for bid and only a few contractors respond.

Sandra McGei, 2505 E. Audrey stated that they only mow half of the grass behind the old Boys N Girls Club. **Harlan Bascombe** advised that it is the homeowner's responsibility to maintain half of the alleyway, but if the contractors were not completing their assigned jobs that OCI needed to be notified so that the problem could be addressed.

McDonald wanted to know who was responsible for getting the grass clippings out of the street after grass is mowed by a city contractor. **Bascombe** advised that it is the responsibility of the contractor and if that is not taking place they should report that to the Office of Central Inspection.

Harlan Bascombe, Supervisor Office of Central Inspection provided an update on tall grass and weeds and nuisance cases for 2009.

| <i>Tall Grass & Weeds Cases Started</i> | <i>Tall Grass & Weeds Case Closed (voluntary compliance)</i> | <i>Tall Grass & Weeds Cases Contractor abated</i> |
|---|--|---|
| 3227 | 2386 | 856 |
| <i>Inoperable Vehicles</i> | | |
| <i>Nuisance Cases Started</i> | <i>Nuisance Cases Closed</i> | <i>Nuisance Case Contractor</i> |

| | | |
|---|--|---|
| | | <i>Abated</i> |
| 5506 | 3066 | 89 |
| <i>Nuisance Cases with Inoperable Vehicles Started</i> | <i>Nuisance Cases With Inoperable Vehicles Closed</i> | <i>Inoperable Vehicles Contractor Abated (Towed)</i> |
| 1327 | 93 | 73 |
| <i>Emergency Board Ups Structures Secured</i> | <i>Emergency Board Ups Openings Secured</i> | |
| 47 | 101 | |

Bascombe advised that they lost one inspector but have done some reorganization to assist with administrative support.

Wynne asked for the details of what fell under the nuisance category. **Bascombe** advised that it would include trash, inoperable vehicles, bulky waste, tree waste, and tall grass and weeds.

Wilson asked what would be considered an inoperable vehicle and if a vehicle was towed how would it be recovered. **Bascombe** advised that would include any vehicle that could not be legally driven on the street. The vehicle must have current tags, could not have flat tires, missing parts needed to operate a vehicle, and wrecked vehicles that are no longer drivable. He advised that they would go to the tow company to recover the vehicle. Additionally he noted that a vehicle could be towed from the back yard if the yard is not fenced in.

Mary McDonald wanted to know why some cars are never towed. **Bascombe** advised that if the vehicle is parked in the street that is an issue for WPD as the Office of Central Inspection does not have jurisdiction over vehicles in the street. **McDonald** express discontent with the services and noted that many people are no longer calling because they are tired of not seeing results so it's not that the service is getting better.

Elaine Guillory, 1713 Piatt noted there is a house at 13th Piatt that needs to be boarded up. **CM Williams** advised that she would get the specific address for staff.

Wynne asked if the Office of Central Inspection was over the new program for trimming trees. **Porter** advised that the program is being administered through the Career Development Office from funds through ARRA. She advised that the intent of the program is to assist low income families with the trimming and removal of trees. Currently the program is no longer taking applications; however, there are plans for the application process to resume in January 2010.

Chaloupek advised that there is an abandon building at Bayley and K-15 that needs to be boarded up. **Bascombe** advised that he is aware of the property and it is being prepared for condemnation and hopes that it will be boarded up soon.

Action Taken: Receive and file.

6. CON2009-00027

Donna Goltry, Planning Department, presented information on the request for a conditional use permit to allow parking located north and west of the intersection of Lincoln Street and Hydraulic Avenue (1131 & 1135 S. Hydraulic Ave.) Quik Trip West Inc. is looking to add rear parking and landscape buffering with alley relocation.

Goltry advised that the applicant needs the ancillary parking for additional parking for the Quik Trip convenience store, adjacent to the south of the subject site, along Lincoln Street. Ancillary

parking areas are subject to the Supplementary Use Regulations contained in Article III, Section D.6.p of the Unified Zoning Code (UZC).

The subject site is located in a transitional area between commercial uses to the south, along Lincoln Street and residential uses to the north along Hydraulic Avenue. North of the subject site, land is zoned B, and is developed with single-family residences. South of the subject site the property is zoned LC Limited Commercial and is developed with the convenience store, which the subject site will be serving. East of the subject site, across Hydraulic Avenue, is property zoned B and is developed with single-family residences. The property west of the subject site is zoned LC and B and is developed with a single-family residence on the B zoned property and vacant, landscaped land on the LC zoned property.

Goltry, is recommending approval of the request based on the conditions in the staff report that include:

- A. The Conditional Use permits “parking, ancillary” associated with the retail convenience store; parking of commercial vehicles not associated with a convenience store is prohibited.
- B. The ancillary parking area shall be developed and operated in conformance with the requirements of Article III, Section D.6.p of the UZC, except as noted in the conditions of approval.
- C. Screening consistent with Unified Zoning Code standards shall be located on the north property line of Lot 1 and along the west property line of Lots 1 and 3 entirely on the subject property.
- D. Lighting standards in the ancillary parking lot shall be shielded downward and away from the surrounding property, and meet all lighting requirements of the UZC (Sec. IV-B.4), but with a maximum height of poles and fixtures of 14 feet.
- E. A revised site plan addressing the conditions of approval shall be submitted for review by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use.
- F. The Conditional Use shall be developed in general conformance with a site plan revised to meet these conditions. Any substantial change in the revised site plan shall require an amendment to this Conditional Use.
- G. All landscaping as required by the Landscape Ordinance and the conditions of approval for the Conditional Use shall be installed within a year of final action by the governing body and maintained per a landscape plan approved by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use. The landscape plan shall specify the plant materials and method of irrigation in conformance with the requirements of the Landscape Ordinance.
- H. As stipulated in Article III, Section D.6.p of the UZC, the parking lot shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, or the storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
- I. The parking lot shall be paved and properly striped.

- J. The applicants will maintain the property and keep it free of debris.
- K. Development of the use permitted by the Conditional Use shall commence within one year from the date of final approval or the Conditional Use shall be null and void.
- L. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the UZC, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. **Zoning, uses and character of the neighborhood.** The subject site is located in a transitional area between commercial uses to the south, along Lincoln Street and residential uses to the north along Hydraulic Avenue. North of the subject site, the land is zoned B, and is developed with single-family residences. South of the subject site the property is zoned LC Limited Commercial (“LC”) and is developed with the convenience store, which the subject site will be serving. East of the subject site, across Hydraulic Avenue, is property zoned B and is developed with single-family residences. The property west of the subject site is zoned LC and B and is developed with a single-family residence on the B zoned property and vacant, landscaped land on the LC zoned property.
2. **The suitability of the subject property for the uses to which it has been restricted.** Approval of the request will allow only the additional use of “parking, ancillary.” If approved, the existing base zoning will remain the same. The property could continue to be used as currently zoned.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The screening, lighting, and compatibility standards of the UZC, the landscape street yard, parking lot screening, and buffer requirements of the Landscape Ordinance, and the additional zoning restrictions of a Conditional Use should limit noise, lighting and other activity from adversely impacting surrounding residential uses.
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan:** The “2030 Wichita Functional Land Use Guide” of the Comprehensive Plan identifies the north part of the site as appropriate for “Urban Residential” while the south part of the site is identified as appropriate for “Local Commercial.” The Urban Residential category includes all densities of residential development found within the urban municipality. This category of use encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing types found includes: single detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category. The Local

Commercial category encompasses areas that contain concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The range of recommended uses includes: medical or insurance offices, auto repair and service stations, grocery stores, florist shops, restaurants and personal service facilities. On a limited presence basis, these areas may also include mini-storage warehousing and small scale, light manufacturing.”

5. **Impact of the proposed development on community facilities:** The proposed use of this property would have a limited impact on community facilities for the area.

Wilson asked if the vacation was approved would the parking be in an l-shape.

Rich wanted to know if the Neighborhood Association had been notified in regards to this request.

Goltry advised that they are on the list of notifications.

Rich responded that the map on the city website is incorrect and list Kellogg Neighborhood Association which disbanded back in 200 or 2001 and that it should show the Hyde Neighborhood Association. She noted that the Hyde Neighborhood Association was not notified and this has an impact to their area.

Roberts wanted to know if they received any protest petitions. **Goltry** advised no, that it might be too early.

Riley advised that she drove through the area and thinks it would be a great improvement.

Action Taken: Roseboro made a motion to approve the zoning request. Churchman 2nd the motion. Motion passed (9:0)

7. **CON2009-00028**

Donna Goltry, Planning Department, presented information on the conditional use request for parking in the general location east of Estelle and south of Douglas at 120 S. Estelle. The additional parking is being requested for the contiguous apartment buildings.

The applicant is requesting a City Conditional Use for parking area, ancillary, on property zoned TF-3 Two-Family Residential. The parking area will be for residents and guests at the contiguous Alamo Apartments north of the alley fronting onto Douglas Avenue. As is typical along the Douglas uptown Area, the buildings have a narrow setback from Douglas and Estelle. A few parallel parking spaces provide some on-street parking for apartment residents, but it is insufficient to accommodate the parking needs of the residents of the 24 apartment units. The proposed ancillary lot will alleviate some this gap by providing 14 parking stalls.

The site plan shows the cars using the paved alley as the means of ingress/egress. It designates an eight-foot wide area between the parking lot and Estelle Avenue for landscaping. This is the minimum width required for ancillary parking lots, coupled with an Administrative Adjustment to allow parking within the front setback. The site plan also shows the placement of trees and a screening fence to buffer the parking lot from the adjoining residence zone TF-3 to the south.

Goltry advised that adjacent zoning and land use consisted of the following:

| | | |
|--------------|----------|---|
| North | LC | Apartments, offices, retail commercial |
| South | TF-3 | Single-family residential |
| East | GO, TF-3 | Parking area, single-family residential |
| West | TF-3 | Duplex, single-family residential |

Goltry advised that staff is recommending approval based on the following conditions from the staff report:

- A. The Conditional Use permits “parking, ancillary” of passenger vehicles only and shall not be used for parking or storage of commercial vehicles; in no case shall it be used for sales, repair work, or the storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
- B. The ancillary parking area shall be developed and operated in conformance with the requirements of Article III, Section D.6.p of the UZC, except as noted in the conditions of approval.
- C. The Conditional Use shall be developed in general conformance with the approved site plan.
- D. Screening consistent with Unified Zoning Code standards shall be located on the south property line.
- E. Lighting standards in the ancillary parking lot shall be shielded downward and away from the surrounding property, and meet all lighting requirements of the UZC (Sec. IV-B.4), but with a maximum height of poles and fixtures of 15 feet.
- F. Landscaping shall be as required by the Landscape Ordinance and shall be installed within a year of final action by the governing body and maintained per a landscape plan approved by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use. The landscape plan shall specify the plant materials and method of irrigation in conformance with the requirements of the Landscape Ordinance.
- G. The parking lot shall be paved and properly striped.
- H. The applicants will maintain the property and keep it free of debris.
- I. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the UZC, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The apartments generating the need for the parking spaces are located north of the alley on property zoned LC Limited Commercial (“LC”) and fronting Douglas Avenue. Douglas Avenue between Grove Street and Hillside Avenue contains a vibrant mix of residential apartment buildings, small-scale specialty retail (e.g. music store, used clothing and antiques, a bookstore), personal services (laundromat,

- styling salons), some specialty business services, office uses, and a convenience store, a grocery store, a hardware store and restaurants. The commercial building next door is vacant but was occupied by a Montessori school for many years. The property south of the alley and located directly to the east of the site is zoned GO General Office (“GO”) and is partially paved used to be used as overflow parking and a play area for the Montessori school. The property located directly across Estelle Avenue to the west is zoned TF-3 and is a duplex. The rest of the property located to the south, east and west of the site is zoned TF-3 but occupied by single-family residences. The property is in the environs of the Stopher Apartments located approximately one and one-half block to the west.
2. The suitability of the subject property for the uses to which it has been restricted: The site could continue to be used as a residential lot, which would effectively keep the separation between apartment use and low density residential use at the alley line. The existing residence is in need of substantial repairs.
 3. Extent to which removal of the restrictions will detrimentally affect nearby property: The detrimental effects will be mitigated by the buffering and screening and landscaping but it will add a parking area within the visual area of the nearest residential neighbors.
 4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The “2030 Wichita Functional Land Use Guide,” 2005 amendments to the *Wichita-Sedgwick County Comprehensive Plan* identifies the site as “urban residential.” The proposed Conditional Use could be construed as being a residential-serving use since it is being developed to serve the contiguous apartment building, so long as the ancillary parking area incorporates screening, buffering and site development requirements that minimize its impact on nearby lower density residential uses. It follows the development pattern along Douglas where most of the buildings have zero-lot or shallow setbacks. Many uses have added a parking area contiguous to the alley to add needed parking. Approximately 40 percent of the property abutting the alleys is used in this manner.
 5. Impact of the proposed development on community facilities: The Conditional Use will not alter the impact on community facilities and may reduce on-street parking congestion in the neighborhood.

Churchman advised that the owner presented this to the Historic Preservation Board and they voted unanimously in support of this request. She also noted that the new owners would also be renovating the apartments with this project.

Riley advised that she was thrilled about this project and that she lives down the street and thinks it would be an improvement. She wanted to know if the Neighborhood Association had been notified.

Goltry advised that New Salem, East Front, College Hill and Sunnyside had been notified.

Roberts wanted to know if they would be removing the house off of the lot. **Goltry** responded yes.

**Action Taken: Riley made a motion to approve the zoning request. Churchman 2nd the motion.
Motion passed (9:0)**

8. ZON2009-00034

Donna Goltry, Planning Department, presented information on the zoning request to change from Neighborhood Office, Multi-Family Residential, and Limited Commercial to General Office, generally located south of 21st Street North and west of Erie Street. The contract purchaser has an existing medical office and counseling service on the property zoned Neighborhood Office at the southwest corner of 21st Street North and Erie Street. The contract purchaser would like to expand its office facility and parking lot areas to the west of the property.

Goltry advised that the site is extremely long and narrow and that the applicant is requesting a zoning adjustment to the parking requirement and a compatibility setback reduction.

Goltry advised that the adjacent zoning and land use included:

| | | |
|--------------|------------------|---|
| North | LC, GO, NR, SF-5 | Car wash, commercial retail/office center, medical offices, vacant |
| South | TF-3 | Single-family residences, duplexes and vacant |
| East | TF-3 | Police station |
| West | LC, NR | Applicant's vacant property zoned LC, speedy cash, bank, liquor store |

Goltry advised that the Center for Health & Wellness is looking to expand their services and needs more space to offer the additional services. **CM Williams** added that the expansion will provide space for more classes and services to the community.

Wilson wanted to know if they would be required to do landscaping. **Goltry** advised that yes they would be required to provide landscaping on the south side and along 21st Street.

James Meyers, 2449 N. Grove with Matlock Heights Neighborhood Association wanted to know if the homes south of the Center for Health & Wellness would have heavy landscaping and would a fence be required. **Goltry** advised that yes a fence would be required or heavy landscaping.

Action Taken: Roseboro made a motion to approve the zoning request according to staff recommendations. Wilson 2nd the motion. Motion passed (9:0)

9. Bike Path I-135 to K-96

Gary Janzen, Public Work Departments, presented the final route for the bike path. He noted that this project was presented initially in February of this year. Alternative paths have been presented due to the Heartland Preparedness Center closing the tunnel under I-135. An alternative path was submitted for an EECBG (Energy Block Grant), which has been awarded to the City.

Janzen advised that the original design of the path was revised due to use of the tunnel crossing for Heartland Preparedness Center. The revision forced use of an alternative East Path Route to use the 25th Street spur to get to Gordon Parks Academy, and then turn south along the Boys and Girls Club using Opportunity Drive to 21st Street. This route will cross 21st Street at an existing pedestrian crossing then travel west to the KDOT right-of-way. The east side of I-135 would be used to go south past Clear Channel property to 17th Street then go west under I-135 to McAdams Park. A third alternative was considered to go west at 25th Street and cross over I-135 on a pedestrian bridge and join the original design there.

Janzen advised that the total cost for the project alternatives (construction, inspection and administration) are as follows: original design, \$2,636,200; East Path Alternative, \$1,598,600; and Pedestrian Bridge Alternative, \$3,051,400. The funding already received for the Energy Grant is equal to the East Path Alternative.

Janzen advised that this came before DAB several different times and will go to Council for final approval on December 8th and staff is looking for a final approval/recommendation from the District Advisory Board.

Riley asked what the full distance of the path would be. **Brent** advised that it would be 2.5 miles.

Wilson asked how many pause points and lighting stops would there be. **Brent** advised there would be three at 17th, 19th and 25th. Additionally, we are still looking at the lighting for the areas.

Maxine Bostic, 4601 Vesta Drive, wanted to know if sidewalks would be placed near the school. **Janzen** advised that some widening of the sidewalks would occur, but no additional sidewalks were being added.

Treatha Brown-Foster, 2311 Kansas, wanted to know if a rod iron fence would be put along I-135. **Janzen** advised that they are not planning on any new fencing but will utilize the current fencing that is there.

Brown-Foster wanted to know if there will be benches added at the pause points. **Janzen** advised they are looking at adding them at the pause points.

Meyers wanted to know how they were going to handle the traffic and the bottlenecking. **Carl Haas** advised that the light is already at the existing cross walk. **Meyers** responded but there is not much pedestrian traffic and that he was also concerned with security.

Action Taken: Roseboro made a motion to approve the new route presented by staff. Wilson 2nd the motion. Motion passed (9:0)

Update

10. Updates, Issues and Reports

Riley advised that that the drainage project on Lewis from Grove to Green has been completed. **Riley** also noted that she took the Mayor's Challenge and she beat the Mayor in the race.

Wynne advised that his Neighborhood Association met and they had great attendance and he was re-elected President. **Wynne** also requested a list of the properties that were being acquired in the 13th Street widening project.

Roseboro announced that were celebrating 20th year anniversary and that on December 11th his Neighborhood Association would be hosting their annual Christmas party.

Rich announced that her Neighborhood Association would meet at 3 p.m. on November 14th at the Spice Merchant.

CM Williams announced that the November District 1 Breakfast would be held at Atwater.

Wilson announced that the Board of Education was purchasing properties in the 1100 block of Spruce for the expansion of Spaght Elementary.

With no further business, a motion to adjourn was made. Motion carried 10-0. The meeting adjourned at 8:43 p.m.

Respectfully Submitted,
LaShonda Porter
Neighborhood Assistant

Guests

Kevin Myles
Beverly Domotrovic
Brent Thomas
Mary McDonald
James Myers
Maxine L. Bostic
Treatha Brown-Foster